

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 19-3, 19-4, 19-5, 24A-10, 24A-10.1, 24A-14, 24B-10,
6 24B-10.1, and 24B-14 and by adding Section 19-2.6 as follows:

7 (10 ILCS 5/19-2.6 new)

8 Sec. 19-2.6. Vote by mail; voters with a print disability.

9 (a) Definitions. As used in this Section, unless the
10 context otherwise requires:

11 "Assistive technology" means any equipment, software, or
12 product used to increase, maintain, or improve the functional
13 capabilities of individuals with disabilities, including, but
14 not limited to, screen reading and magnification software,
15 refreshable Braille displays, and speech recognition programs.

16 "Certified remote accessible vote by mail system" means a
17 process approved by the State Board of Elections through which
18 an election authority provides for the electronic transmission
19 of a vote by mail ballot to a voter with a print disability and
20 through which the voter with a print disability marks and
21 verifies the voter's ballot using assistive technology.

22 "Electronic transmission" means the transfer of data or
23 information through an authorized electronic data interchange

1 system.

2 "Voter with a print disability" means a person having a
3 temporary or permanent physical or mental impairment, such as
4 blindness, low vision, physical dexterity limitations, or
5 learning or cognitive disabilities, that prevents the person
6 from effective reading, writing, or use of printed material.

7 (b) The State Board of Elections shall provide a certified
8 remote accessible vote by mail system for the General Election
9 of November 8, 2022 and all subsequent elections, through
10 which a vote by mail ballot can be delivered by electronic
11 transmission to voters with print disabilities and through
12 which voters with print disabilities are able to mark and
13 verify their ballots using assistive technology.

14 (c) Election authorities shall permit voters with a print
15 disability to receive and mark their vote by mail ballots (i)
16 through the certified remote accessible vote by mail system
17 provided by the State Board of Elections pursuant to
18 subsection (b) of this Section or (ii) through a certified
19 remote accessible vote by mail system provided by the election
20 authority.

21 (d) If a vote by mail ballot application from a voter with
22 a print disability arrives after the jurisdiction begins
23 transmitting vote by mail ballots and instructions to voters,
24 the election authority shall electronically transmit the
25 ballot, instructions, and balloting materials to the voter
26 within two business days after receipt of the application.

1 (e) Ballots received and marked pursuant to this Section
2 must be printed by the voter and returned to the election
3 authority as provided in Section 19-6.

4 (f) The State Board of Elections shall adopt rules,
5 including emergency rules, necessary for the implementation of
6 this Section. The State Board of Elections' adopted rules
7 shall include certification standards for a remote accessible
8 vote by mail system and a method subject to the provisions in
9 Sections 19-2 and 19-3 of this Article by which a voter with a
10 print disability may request to use a certified remote
11 accessible vote by mail system and apply for an accessible
12 vote by mail ballot.

13 (10 ILCS 5/19-3) (from Ch. 46, par. 19-3)

14 Sec. 19-3. Application for a vote by mail ballot.

15 (a) The application for a vote by mail ballot for a single
16 election shall be substantially in the following form:

17 APPLICATION FOR VOTE BY MAIL BALLOT

18 To be voted at the election in the County of and
19 State of Illinois, in the precinct of the (1) *township of
20 (2) *City of or (3) *.... ward in the City of

21 I state that I am a resident of the precinct of the
22 (1) *township of (2) *City of or (3) *.... ward in
23 the city of residing at in such city or town in the
24 county of and State of Illinois; that I have lived at such
25 address for month(s) last past; that I am lawfully

1 entitled to vote in such precinct at the election to be
2 held therein on; and that I wish to vote by vote by mail
3 ballot.

4 I hereby make application for an official ballot or
5 ballots to be voted by me at such election, and I agree that I
6 shall return such ballot or ballots to the official issuing
7 the same prior to the closing of the polls on the date of the
8 election or, if returned by mail, postmarked no later than
9 election day, for counting no later than during the period for
10 counting provisional ballots, the last day of which is the
11 14th day following election day.

12 I understand that this application is made for an official
13 vote by mail ballot or ballots to be voted by me at the
14 election specified in this application and that I must submit
15 a separate application for an official vote by mail ballot or
16 ballots to be voted by me at any subsequent election.

17 Under penalties as provided by law pursuant to Section
18 29-10 of the Election Code, the undersigned certifies that the
19 statements set forth in this application are true and correct.

20

21 *fill in either (1), (2) or (3).

22 Post office address to which ballot is mailed:

23

24 (a-5) The application for a single vote by mail ballot
25 transmitted electronically pursuant to Section 19-2.6 shall be
26 substantively similar to the application for a vote by mail

1 ballot for a single election and shall include:

2 I swear or affirm that I am a voter with a print
3 disability, and, as a result of this disability, I am
4 making a request to receive a vote by mail ballot
5 electronically so that I may privately and independently
6 mark, verify, and print my vote by mail ballot.

7 (b) The application for permanent vote by mail status
8 shall be substantially in the following form:

9 APPLICATION FOR PERMANENT VOTE BY MAIL STATUS

10 I am currently a registered voter and wish to apply for
11 permanent vote by mail status.

12 I state that I am a resident of the City of residing
13 at in such city in the county of and State of
14 Illinois; that I have lived at such address for month(s)
15 last past; that I am lawfully entitled to vote in such precinct
16 at the election to be held therein on; and that I
17 wish to vote by vote by mail ballot in:

18 all subsequent elections that do not require a party
19 designation.

20 all subsequent elections, and I wish to receive a
21 Party vote by mail ballot in
22 elections that require a party designation.

23 I hereby make application for an official ballot or
24 ballots to be voted by me at such election, and I agree that I
25 shall return such ballot or ballots to the official issuing
26 the same prior to the closing of the polls on the date of the

1 election or, if returned by mail, postmarked no later than
2 election day, for counting no later than during the period for
3 counting provisional ballots, the last day of which is the
4 14th day following election day.

5 Under penalties as provided by law under Section 29-10 of
6 the Election Code, the undersigned certifies that the
7 statements set forth in this application are true and correct.

8

9 Post office address to which ballot is mailed:

10

11 (b-5) The application for permanent vote by mail ballots
12 transmitted electronically pursuant to Section 19-2.6 shall be
13 substantively similar to the application for permanent vote by
14 mail status and shall include:

15 I swear or affirm that I am a voter with a
16 non-temporary print disability, and as a result of this
17 disability, I am making a request to receive vote by mail
18 ballots electronically so that I may privately and
19 independently mark, verify, and print my vote by mail
20 ballots.

21 (c) However, if application is made for a primary election
22 ballot, such application shall require the applicant to
23 designate the name of the political party with which the
24 applicant is affiliated. The election authority shall allow
25 any voter on permanent vote by mail status to change his or her
26 party affiliation for a primary election ballot by a method

1 and deadline published and selected by the election authority.

2 (d) If application is made electronically, the applicant
3 shall mark the box associated with the above described
4 statement included as part of the online application
5 certifying that the statements set forth in the application
6 under subsection (a) or (b) are true and correct, and a
7 signature is not required.

8 (e) Any person may produce, reproduce, distribute, or
9 return to an election authority an application under this
10 Section. If applications are sent to a post office box
11 controlled by any individual or organization that is not an
12 election authority, those applications shall (i) include a
13 valid and current phone number for the individual or
14 organization controlling the post office box and (ii) be
15 turned over to the appropriate election authority within 7
16 days of receipt or, if received within 2 weeks of the election
17 in which an applicant intends to vote, within 2 days of
18 receipt. Failure to turn over the applications in compliance
19 with this paragraph shall constitute a violation of this Code
20 and shall be punishable as a petty offense with a fine of \$100
21 per application. Removing, tampering with, or otherwise
22 knowingly making the postmark on the application unreadable by
23 the election authority shall establish a rebuttable
24 presumption of a violation of this paragraph. Upon receipt,
25 the appropriate election authority shall accept and promptly
26 process any application under this Section submitted in a form

1 substantially similar to that required by this Section,
2 including any substantially similar production or reproduction
3 generated by the applicant.

4 (f) An election authority may combine the applications in
5 subsections (a) and (b) onto one form, but the distinction
6 between the applications must be clear and the form must
7 provide check boxes for an applicant to indicate whether he or
8 she is applying for a single election vote by mail ballot or
9 for permanent vote by mail status.

10 (Source: P.A. 102-15, eff. 6-17-21.)

11 (10 ILCS 5/19-4) (from Ch. 46, par. 19-4)

12 Sec. 19-4. Mailing or delivery of ballots; time.
13 Immediately upon the receipt of such application either by
14 mail or electronic means, not more than 90 days nor less than 5
15 days prior to such election, or by personal delivery not more
16 than 90 days nor less than one day prior to such election, at
17 the office of such election authority, it shall be the duty of
18 such election authority to examine the records to ascertain
19 whether or not such applicant is lawfully entitled to vote as
20 requested, including a verification of the applicant's
21 signature by comparison with the signature on the official
22 registration record card, and if found so to be entitled to
23 vote, to post within one business day thereafter the name,
24 street address, ward and precinct number or township and
25 district number, as the case may be, of such applicant given on

1 a list, the pages of which are to be numbered consecutively to
2 be kept by such election authority for such purpose in a
3 conspicuous, open and public place accessible to the public at
4 the entrance of the office of such election authority, and in
5 such a manner that such list may be viewed without necessity of
6 requesting permission therefor. Within one day after posting
7 the name and other information of an applicant for a vote by
8 mail ballot, the election authority shall transmit by
9 electronic means pursuant to a process established by the
10 State Board of Elections that name and other posted
11 information to the State Board of Elections, which shall
12 maintain those names and other information in an electronic
13 format on its website, arranged by county and accessible to
14 State and local political committees. Within 2 business days
15 after posting a name and other information on the list within
16 its office, but no sooner than 40 days before an election, the
17 election authority shall mail, postage prepaid, or deliver in
18 person in such office, or deliver via electronic transmission
19 pursuant to Section 19-2.6, an official ballot or ballots if
20 more than one are to be voted at said election. Mail delivery
21 of Temporarily Absent Student ballot applications pursuant to
22 Section 19-12.3 shall be by nonforwardable mail. However, for
23 the consolidated election, vote by mail ballots for certain
24 precincts may be delivered to applicants not less than 25 days
25 before the election if so much time is required to have
26 prepared and printed the ballots containing the names of

1 persons nominated for offices at the consolidated primary. The
2 election authority shall enclose with each vote by mail ballot
3 or application written instructions on how voting assistance
4 shall be provided pursuant to Section 17-14 and a document,
5 written and approved by the State Board of Elections,
6 informing the vote by mail voter of the required postage for
7 returning the application and ballot, and enumerating the
8 circumstances under which a person is authorized to vote by
9 vote by mail ballot pursuant to this Article; such document
10 shall also include a statement informing the applicant that if
11 he or she falsifies or is solicited by another to falsify his
12 or her eligibility to cast a vote by mail ballot, such
13 applicant or other is subject to penalties pursuant to Section
14 29-10 and Section 29-20 of the Election Code. Each election
15 authority shall maintain a list of the name, street address,
16 ward and precinct, or township and district number, as the
17 case may be, of all applicants who have returned vote by mail
18 ballots to such authority, and the name of such vote by mail
19 voter shall be added to such list within one business day from
20 receipt of such ballot. If the vote by mail ballot envelope
21 indicates that the voter was assisted in casting the ballot,
22 the name of the person so assisting shall be included on the
23 list. The list, the pages of which are to be numbered
24 consecutively, shall be kept by each election authority in a
25 conspicuous, open, and public place accessible to the public
26 at the entrance of the office of the election authority and in

1 a manner that the list may be viewed without necessity of
2 requesting permission for viewing.

3 Each election authority shall maintain a list for each
4 election of the voters to whom it has issued vote by mail
5 ballots. The list shall be maintained for each precinct within
6 the jurisdiction of the election authority. Prior to the
7 opening of the polls on election day, the election authority
8 shall deliver to the judges of election in each precinct the
9 list of registered voters in that precinct to whom vote by mail
10 ballots have been issued by mail.

11 Each election authority shall maintain a list for each
12 election of voters to whom it has issued temporarily absent
13 student ballots. The list shall be maintained for each
14 election jurisdiction within which such voters temporarily
15 abide. Immediately after the close of the period during which
16 application may be made by mail or electronic means for vote by
17 mail ballots, each election authority shall mail to each other
18 election authority within the State a certified list of all
19 such voters temporarily abiding within the jurisdiction of the
20 other election authority.

21 In the event that the return address of an application for
22 ballot by a physically incapacitated elector is that of a
23 facility licensed or certified under the Nursing Home Care
24 Act, the Specialized Mental Health Rehabilitation Act of 2013,
25 the ID/DD Community Care Act, or the MC/DD Act, within the
26 jurisdiction of the election authority, and the applicant is a

1 registered voter in the precinct in which such facility is
2 located, the ballots shall be prepared and transmitted to a
3 responsible judge of election no later than 9 a.m. on the
4 Friday, Saturday, Sunday, or Monday immediately preceding the
5 election as designated by the election authority under Section
6 19-12.2. Such judge shall deliver in person on the designated
7 day the ballot to the applicant on the premises of the facility
8 from which application was made. The election authority shall
9 by mail notify the applicant in such facility that the ballot
10 will be delivered by a judge of election on the designated day.

11 All applications for vote by mail ballots shall be
12 available at the office of the election authority for public
13 inspection upon request from the time of receipt thereof by
14 the election authority until 30 days after the election,
15 except during the time such applications are kept in the
16 office of the election authority pursuant to Section 19-7, and
17 except during the time such applications are in the possession
18 of the judges of election.

19 Notwithstanding any provision of this Section to the
20 contrary, pursuant to subsection (a) of Section 30 of the
21 Address Confidentiality for Victims of Domestic Violence,
22 Sexual Assault, Human Trafficking, or Stalking Act, neither
23 the name nor the address of a program participant under that
24 Act shall be included in any list of registered voters
25 available to the public, including the lists referenced in
26 this Section.

1 (Source: P.A. 102-292, eff. 1-1-22.)

2 (10 ILCS 5/19-5) (from Ch. 46, par. 19-5)

3 Sec. 19-5. Folding and enclosure of ballots in unsealed
4 envelope; address on envelope; certification; instructions for
5 marking and returning ballots. It shall be the duty of the
6 election authority to fold the ballot or ballots in the manner
7 specified by the statute for folding ballots prior to their
8 deposit in the ballot box, and to enclose such ballot or
9 ballots in an envelope unsealed to be furnished by him, which
10 envelope shall bear upon the face thereof the name, official
11 title and post office address of the election authority, and
12 upon the other side a printed certification in substantially
13 the following form:

14 I state that I am a resident of the precinct of the
15 (1) *township of (2) *City of or (3) *.... ward in
16 the city of residing at in such city or town in the
17 county of and State of Illinois, that I have lived at such
18 address for months last past; and that I am lawfully
19 entitled to vote in such precinct at the election to be
20 held on

21 *fill in either (1), (2) or (3).

22 I further state that I personally marked the enclosed
23 ballot in secret.

24 Under penalties of perjury as provided by law pursuant to
25 Section 29-10 of The Election Code, the undersigned certifies

1 that the statements set forth in this certification are true
2 and correct.

3

4 If the ballot is to go to an elector who is physically
5 incapacitated and needs assistance marking the ballot, the
6 envelope shall bear upon the back thereof a certification in
7 substantially the following form:

8 I state that I am a resident of the precinct of the
9 (1) *township of (2) *City of or (3) *.... ward in
10 the city of residing at in such city or town in the
11 county of and State of Illinois, that I have lived at such
12 address for months last past; that I am lawfully entitled
13 to vote in such precinct at the election to be held on
14; that I am physically incapable of personally marking the
15 ballot for such election.

16 *fill in either (1), (2) or (3).

17 I further state that I marked the enclosed ballot in
18 secret with the assistance of

19

20 (Individual rendering assistance)

21

22 (Residence Address)

23 Under penalties of perjury as provided by law pursuant to
24 Section 29-10 of The Election Code, the undersigned certifies
25 that the statements set forth in this certification are true
26 and correct.

1
2

3 In the case of a voter with a physical incapacity, marking
4 a ballot in secret includes marking a ballot with the
5 assistance of another individual, other than a candidate whose
6 name appears on the ballot (unless the voter is the spouse or a
7 parent, child, brother, or sister of the candidate), the
8 voter's employer, an agent of that employer, or an officer or
9 agent of the voter's union, when the voter's physical
10 incapacity necessitates such assistance.

11 In the case of a physically incapacitated voter, marking a
12 ballot in secret includes marking a ballot with the assistance
13 of another individual, other than a candidate whose name
14 appears on the ballot (unless the voter is the spouse or a
15 parent, child, brother, or sister of the candidate), the
16 voter's employer, an agent of that employer, or an officer or
17 agent of the voter's union, when the voter's physical
18 incapacity necessitates such assistance.

19 Provided, that if the ballot enclosed is to be voted at a
20 primary election, the certification shall designate the name
21 of the political party with which the voter is affiliated.

22 In addition to the above, the election authority shall
23 provide printed slips, or an electronic version thereof for
24 voters voting by mail pursuant to Section 19-2.6, giving full
25 instructions regarding the manner of marking and returning the
26 ballot in order that the same may be counted, and shall furnish
one of such printed slips or the electronic version thereof

1 for voters voting by mail pursuant to Section 19-2.6 to each of
2 such applicants at the same time the ballot is delivered to
3 him. Such instructions shall include the following statement:
4 "In signing the certification on the vote by mail ballot
5 envelope, you are attesting that you personally marked this
6 vote by mail ballot in secret. If you are physically unable to
7 mark the ballot, a friend or relative may assist you after
8 completing the enclosed affidavit. Federal and State laws
9 prohibit a candidate whose name appears on the ballot (unless
10 you are the spouse or a parent, child, brother, or sister of
11 the candidate), your employer, your employer's agent or an
12 officer or agent of your union from assisting voters with
13 physical disabilities."

14 In addition to the above, if a ballot to be provided to an
15 elector pursuant to this Section contains a public question
16 described in subsection (b) of Section 28-6 and the territory
17 concerning which the question is to be submitted is not
18 described on the ballot due to the space limitations of such
19 ballot, the election authority shall provide a printed copy of
20 a notice of the public question, which shall include a
21 description of the territory in the manner required by Section
22 16-7. The notice shall be furnished to the elector at the same
23 time the ballot is delivered to the elector.

24 Election authorities transmitting ballots by electronic
25 transmission pursuant to Section 19-2.6 shall, to the greatest
26 extent possible, provide those applicants with the same

1 instructions, certifications, and other balloting materials
2 required when sending ballots by mail.

3 (Source: P.A. 98-1171, eff. 6-1-15; 99-143, eff. 7-27-15.)

4 (10 ILCS 5/24A-10) (from Ch. 46, par. 24A-10)

5 Sec. 24A-10. (1) In an election jurisdiction which has
6 adopted an electronic voting system, the election official in
7 charge of the election shall select one of the 3 following
8 procedures for receiving, counting, tallying, and return of
9 the ballots:

10 (a) Two ballot boxes shall be provided for each polling
11 place. The first ballot box is for the depositing of votes cast
12 on the electronic voting system; and the second ballot box is
13 for all votes cast on paper ballots, including any paper
14 ballots required to be voted other than on the electronic
15 voting system. Ballots deposited in the second ballot box
16 shall be counted, tallied, and returned as is elsewhere
17 provided in this Code for the counting and handling of paper
18 ballots. Immediately after the closing of the polls, the
19 judges of election shall make out a slip indicating the number
20 of persons who voted in the precinct at the election. Such slip
21 shall be signed by all the judges of election and shall be
22 inserted by them in the first ballot box. The judges of
23 election shall thereupon immediately lock each ballot box;
24 provided, that if such box is not of a type which may be
25 securely locked, such box shall be sealed with filament tape

1 provided for such purpose which shall be wrapped around the
2 box lengthwise and crosswise, at least twice each way, and in
3 such manner that the seal completely covers the slot in the
4 ballot box, and each of the judges shall sign such seal.
5 Thereupon two of the judges of election, of different
6 political parties, shall forthwith and by the most direct
7 route transport both ballot boxes to the counting location
8 designated by the county clerk or board of election
9 commissioners.

10 Before the ballots of a precinct are fed to the electronic
11 tabulating equipment, the first ballot box shall be opened at
12 the central counting station by the two precinct transport
13 judges. Upon opening a ballot box, such team shall first count
14 the number of ballots in the box. If 2 or more are folded
15 together so as to appear to have been cast by the same person,
16 all of the ballots so folded together shall be marked and
17 returned with the other ballots in the same condition, as near
18 as may be, in which they were found when first opened, but
19 shall not be counted. If the remaining ballots are found to
20 exceed the number of persons voting in the precinct as shown by
21 the slip signed by the judges of election, the ballots shall be
22 replaced in the box, and the box closed and well shaken and
23 again opened and one of the precinct transport judges shall
24 publicly draw out so many ballots unopened as are equal to such
25 excess.

26 Such excess ballots shall be marked "Excess-Not Counted"

1 and signed by the two precinct transport judges and shall be
2 placed in the "After 7:00 p.m. Defective Ballots Envelope".
3 The number of excess ballots shall be noted in the remarks
4 section of the Certificate of Results. "Excess" ballots shall
5 not be counted in the total of "defective" ballots.

6 The precinct transport judges shall then examine the
7 remaining ballots for write-in votes and shall count and
8 tabulate the write-in vote; or

9 (b) A single ballot box, for the deposit of all votes cast,
10 shall be used. All ballots which are not to be tabulated on the
11 electronic voting system shall be counted, tallied, and
12 returned as elsewhere provided in this Code for the counting
13 and handling of paper ballots.

14 All ballots to be processed and tabulated with the
15 electronic voting system shall be processed as follows:

16 Immediately after the closing of the polls, the precinct
17 judges of election then shall open the ballot box and canvass
18 the votes polled to determine that the number of ballots
19 therein agree with the number of voters voting as shown by the
20 applications for ballot or if the same do not agree the judges
21 of election shall make such ballots agree with the
22 applications for ballot in the manner provided by Section
23 17-18 of this Code. The judges of election shall then examine
24 all ballot cards and ballot card envelopes which are in the
25 ballot box to determine whether the ballot cards and ballot
26 card envelopes bear the initials of a precinct judge of

1 election. If any ballot card or ballot card envelope is not
2 initialed, it shall be marked on the back "Defective,"
3 initialed as to such label by all judges immediately under
4 such word "Defective," and not counted, but placed in the
5 envelope provided for that purpose labeled "Defective Ballots
6 Envelope."

7 When an electronic voting system is used which utilizes a
8 ballot card, before separating the ballot cards from their
9 respective covering envelopes, the judges of election shall
10 examine the ballot card envelopes for write-in votes. When the
11 voter has voted a write-in vote, the judges of election shall
12 compare the write-in vote with the votes on the ballot card to
13 determine whether such write-in results in an overvote for any
14 office. In case of an overvote for any office, the judges of
15 election, consisting in each case of at least one judge of
16 election of each of the two major political parties, shall
17 make a true duplicate ballot of all votes on such ballot card
18 except for the office which is overvoted, by using the ballot
19 label booklet of the precinct and one of the marking devices of
20 the precinct so as to transfer all votes of the voter except
21 for the office overvoted, to an official ballot card of that
22 kind used in the precinct at that election. The original
23 ballot card and envelope upon which there is an overvote shall
24 be clearly labeled "Overvoted Ballot", and each shall bear the
25 same serial number which shall be placed thereon by the judges
26 of election, commencing with number 1 and continuing

1 consecutively for the ballots of that kind in that precinct.
2 The judges of election shall initial the "Duplicate Overvoted
3 Ballot" ballot cards and shall place them in the box for return
4 of the ballots. The "Overvoted Ballot" ballots and their
5 envelopes shall be placed in the "Duplicate Ballots" envelope.
6 Envelopes bearing write-in votes marked in the place
7 designated therefor and bearing the initials of a precinct
8 judge of election and not resulting in an overvote and
9 otherwise complying with the election laws as to marking shall
10 be counted, tallied, and their votes recorded on a tally sheet
11 provided by the election official in charge of the election.
12 The ballot cards and ballot card envelopes shall be separated
13 and all except any defective or overvoted shall be placed
14 separately in the box for return of the ballots. The judges of
15 election shall examine the ballots and ballot cards to
16 determine if any is damaged, ~~or defective, or so that it~~ cannot
17 otherwise be counted by the automatic tabulating equipment. If
18 any ballot or ballot card is damaged, ~~or defective, or so that~~
19 ~~it~~ cannot otherwise properly be counted by the automatic
20 tabulating equipment, the judges of election, consisting in
21 each case of at least one judge of election of each of the two
22 major political parties, shall make a true duplicate ballot of
23 all votes on such ballot card by using the ballot label booklet
24 of the precinct and one of the marking devices of the precinct.
25 The original ballot or ballot card and envelope shall be
26 clearly labeled "Damaged Ballot" and the ballot or ballot card

1 so produced "Duplicate Damaged Ballot," and each shall bear
2 the same number which shall be placed thereon by the judges of
3 election, commencing with number 1 and continuing
4 consecutively for the ballots of that kind in the precinct.
5 The judges of election shall initial the "Duplicate Damaged
6 Ballot" ballot or ballot cards, and shall place them in the box
7 for return of the ballots. The "Damaged Ballot" ballots or
8 ballot cards and their envelopes shall be placed in the
9 "Duplicated Ballots" envelope. A slip indicating the number of
10 voters voting in person shall be made out, signed by all judges
11 of election, and inserted in the box for return of the ballots.
12 The tally sheets recording the write-in votes shall be placed
13 in this box. The judges of election thereupon immediately
14 shall securely lock the ballot box or other suitable box
15 furnished for return of the ballots by the election official
16 in charge of the election; provided that if such box is not of
17 a type which may be securely locked, such box shall be sealed
18 with filament tape provided for such purpose which shall be
19 wrapped around the box lengthwise and crosswise, at least
20 twice each way. A separate adhesive seal label signed by each
21 of the judges of election of the precinct shall be affixed to
22 the box so as to cover any slot therein and to identify the box
23 of the precinct; and if such box is sealed with filament tape
24 as provided herein rather than locked, such tape shall be
25 wrapped around the box as provided herein, but in such manner
26 that the separate adhesive seal label affixed to the box and

1 signed by the judges may not be removed without breaking the
2 filament tape and disturbing the signature of the judges.
3 Thereupon, 2 of the judges of election, of different major
4 political parties, forthwith shall by the most direct route
5 transport the box for return of the ballots and enclosed
6 ballots and returns to the central counting location
7 designated by the election official in charge of the election.
8 If, however, because of the lack of adequate parking
9 facilities at the central counting location or for any other
10 reason, it is impossible or impracticable for the boxes from
11 all the polling places to be delivered directly to the central
12 counting location, the election official in charge of the
13 election may designate some other location to which the boxes
14 shall be delivered by the 2 precinct judges. While at such
15 other location the boxes shall be in the care and custody of
16 one or more teams, each consisting of 4 persons, 2 from each of
17 the two major political parties, designated for such purpose
18 by the election official in charge of elections from
19 recommendations by the appropriate political party
20 organizations. As soon as possible, the boxes shall be
21 transported from such other location to the central counting
22 location by one or more teams, each consisting of 4 persons, 2
23 from each of the 2 major political parties, designated for
24 such purpose by the election official in charge of elections
25 from recommendations by the appropriate political party
26 organizations.

1 The "Defective Ballots" envelope, and "Duplicated Ballots"
2 envelope each shall be securely sealed and the flap or end
3 thereof of each signed by the precinct judges of election and
4 returned to the central counting location with the box for
5 return of the ballots, enclosed ballots and returns.

6 At the central counting location, a team of tally judges
7 designated by the election official in charge of the election
8 shall check the box returned containing the ballots to
9 determine that all seals are intact, and thereupon shall open
10 the box, check the voters' slip and compare the number of
11 ballots so delivered against the total number of voters of the
12 precinct who voted, remove the ballots or ballot cards and
13 deliver them to the technicians operating the automatic
14 tabulating equipment. Any discrepancies between the number of
15 ballots and total number of voters shall be noted on a sheet
16 furnished for that purpose and signed by the tally judges; or

17 (c) A single ballot box, for the deposit of all votes cast,
18 shall be used. Immediately after the closing of the polls, the
19 precinct judges of election shall securely lock the ballot
20 box; provided that if such box is not of a type which may be
21 securely locked, such box shall be sealed with filament tape
22 provided for such purpose which shall be wrapped around the
23 box lengthwise and crosswise, at least twice each way. A
24 separate adhesive seal label signed by each of the judges of
25 election of the precinct shall be affixed to the box so as to
26 cover any slot therein and to identify the box of the precinct;

1 and if such box is sealed with filament tape as provided herein
2 rather than locked, such tape shall be wrapped around the box
3 as provided herein, but in such manner that the separate
4 adhesive seal label affixed to the box and signed by the judges
5 may not be removed without breaking the filament tape and
6 disturbing the signature of the judges. Thereupon, 2 of the
7 judges of election, of different major political parties,
8 shall forthwith by the most direct route transport the box for
9 return of the ballots and enclosed vote by mail and early
10 ballots and returns to the central counting location
11 designated by the election official in charge of the election.
12 If however, because of the lack of adequate parking facilities
13 at the central counting location or for some other reason, it
14 is impossible or impracticable for the boxes from all the
15 polling places to be delivered directly to the central
16 counting location, the election official in charge of the
17 election may designate some other location to which the boxes
18 shall be delivered by the 2 precinct judges. While at such
19 other location the boxes shall be in the care and custody of
20 one or more teams, each consisting of 4 persons, 2 from each of
21 the two major political parties, designated for such purpose
22 by the election official in charge of elections from
23 recommendations by the appropriate political party
24 organizations. As soon as possible, the boxes shall be
25 transported from such other location to the central counting
26 location by one or more teams, each consisting of 4 persons, 2

1 from each of the 2 major political parties, designated for
2 such purpose by the election official in charge of the
3 election from recommendations by the appropriate political
4 party organizations.

5 At the central counting location there shall be one or
6 more teams of tally judges who possess the same qualifications
7 as tally judges in election jurisdictions using paper ballots.
8 The number of such teams shall be determined by the election
9 authority. Each team shall consist of 5 tally judges, 3
10 selected and approved by the county board from a certified
11 list furnished by the chair of the county central committee of
12 the party with the majority of members on the county board and
13 2 selected and approved by the county board from a certified
14 list furnished by the chair of the county central committee of
15 the party with the second largest number of members on the
16 county board. At the central counting location a team of tally
17 judges shall open the ballot box and canvass the votes polled
18 to determine that the number of ballot sheets therein agree
19 with the number of voters voting as shown by the applications
20 for ballot; and, if the same do not agree, the tally judges
21 shall make such ballots agree with the number of applications
22 for ballot in the manner provided by Section 17-18 of this
23 Code. The tally judges shall then examine all ballot sheets
24 which are in the ballot box to determine whether they bear the
25 initials of the precinct judge of election. If any ballot is
26 not initialed, it shall be marked on the back "Defective",

1 initialed as to such label by all tally judges immediately
2 under such word "Defective", and not counted, but placed in
3 the envelope provided for that purpose labeled "Defective
4 Ballots Envelope". An overvote for one office shall invalidate
5 only the vote or count of that particular office.

6 At the central counting location, a team of tally judges
7 designated by the election official in charge of the election
8 shall deliver the ballot sheets to the technicians operating
9 the automatic tabulating equipment. Any discrepancies between
10 the number of ballots and total number of voters shall be noted
11 on a sheet furnished for that purpose and signed by the tally
12 judges.

13 (2) Regardless of which procedure described in subsection
14 (1) of this Section is used, the judges of election designated
15 to transport the ballots, properly signed and sealed as
16 provided herein, shall ensure that the ballots are delivered
17 to the central counting station no later than 12 hours after
18 the polls close. At the central counting station a team of
19 tally judges designated by the election official in charge of
20 the election shall examine the ballots so transported and
21 shall not accept ballots for tabulating which are not signed
22 and sealed as provided in subsection (1) of this Section until
23 the judges transporting the same make and sign the necessary
24 corrections. Upon acceptance of the ballots by a team of tally
25 judges at the central counting station, the election judges
26 transporting the same shall take a receipt signed by the

1 election official in charge of the election and stamped with
2 the date and time of acceptance. The election judges whose
3 duty it is to transport any ballots shall, in the event such
4 ballots cannot be found when needed, on proper request,
5 produce the receipt which they are to take as above provided.

6 (Source: P.A. 100-1027, eff. 1-1-19; 101-81, eff. 7-12-19.)

7 (10 ILCS 5/24A-10.1) (from Ch. 46, par. 24A-10.1)

8 Sec. 24A-10.1. In an election jurisdiction where
9 in-precinct counting equipment is utilized, the following
10 procedures for counting and tallying the ballots shall apply:

11 Immediately after the closing of the polls, the precinct
12 judges of election shall open the ballot box and count the
13 number of ballots therein to determine if such number agrees
14 with the number of voters voting as shown by the applications
15 for ballot or, if the same do not agree, the judges of election
16 shall make such ballots agree with the applications for ballot
17 in the manner provided by Section 17-18 of this Act. The judges
18 of election shall then examine all ballot cards and ballot
19 card envelopes which are in the ballot box to determine
20 whether the ballot cards and ballot card envelopes contain the
21 initials of a precinct judge of election. If any ballot card or
22 ballot card envelope is not initialed, it shall be marked on
23 the back "Defective", initialed as to such label by all judges
24 immediately under the word "Defective" and not counted. The
25 judges of election shall place an initialed blank official

1 ballot card in the place of the defective ballot card, so that
2 the count of the ballot cards to be counted on the automatic
3 tabulating equipment will be the same, and each "Defective
4 Ballot" card and "Replacement" card shall contain the same
5 serial number which shall be placed thereon by the judges of
6 election, commencing with number 1 and continuing
7 consecutively for the ballots of that kind in that precinct.
8 The original "Defective" card shall be placed in the
9 "Defective Ballot Envelope" provided for that purpose.

10 When an electronic voting system is used which utilizes a
11 ballot card, before separating the remaining ballot cards from
12 their respective covering envelopes, the judges of election
13 shall examine the ballot card envelopes for write-in votes.
14 When the voter has cast a write-in vote, the judges of election
15 shall compare the write-in vote with the votes on the ballot
16 card to determine whether such write-in results in an overvote
17 for any office. In case of an overvote for any office, the
18 judges of election, consisting in each case of at least one
19 judge of election of each of the 2 major political parties,
20 shall make a true duplicate ballot of all votes on such ballot
21 card except for the office which is overvoted, by using the
22 ballot label booklet of the precinct and one of the marking
23 devices of the precinct so as to transfer all votes of the
24 voter, except for the office overvoted, to a duplicate card.
25 The original ballot card and envelope upon which there is an
26 overvote shall be clearly labeled "Overvoted Ballot", and each

1 such "Overvoted Ballot" as well as its "Replacement" shall
2 contain the same serial number which shall be placed thereon
3 by the judges of election, commencing with number 1 and
4 continuing consecutively for the ballots of that kind in that
5 precinct. The "Overvoted Ballot" card and ballot envelope
6 shall be placed in an envelope provided for that purpose
7 labeled "Duplicate Ballot" envelope, and the judges of
8 election shall initial the "Replacement" ballot cards and
9 shall place them with the other ballot cards to be counted on
10 the automatic tabulating equipment. Envelopes containing
11 write-in votes marked in the place designated therefor and
12 containing the initials of a precinct judge of election and
13 not resulting in an overvote and otherwise complying with the
14 election laws as to marking shall be counted and tallied and
15 their votes recorded on a tally sheet provided by the election
16 authority.

17 The ballot cards and ballot card envelopes shall be
18 separated in preparation for counting by the automatic
19 tabulating equipment provided for that purpose by the election
20 authority.

21 Before the ballots are entered into the automatic
22 tabulating equipment, a precinct identification card provided
23 by the election authority shall be entered into the device to
24 ensure that the totals are all zeroes in the count column on
25 the printing unit. A precinct judge of election shall then
26 count the ballots by entering each ballot card into the

1 automatic tabulating equipment, and if any ballot or ballot
2 card is damaged, ~~or~~ defective, or so that it cannot otherwise
3 properly be counted by the automatic tabulating equipment, the
4 judges of election, consisting in each case of at least one
5 judge of election of each of the 2 major political parties,
6 shall make a true duplicate ballot of all votes on such ballot
7 card by using the ballot label booklet of the precinct and one
8 of the marking devices of the precinct. The original ballot or
9 ballot card and envelope shall be clearly labeled "Damaged
10 Ballot" and the ballot or ballot card so produced shall be
11 clearly labeled "Duplicate Damaged Ballot", and each shall
12 contain the same serial number which shall be placed thereon
13 by the judges of election, commencing with number 1 and
14 continuing consecutively for the ballots of that kind in the
15 precinct. The judges of election shall initial the "Duplicate
16 Damaged Ballot" ballot or ballot cards and shall enter the
17 duplicate damaged cards into the automatic tabulating
18 equipment. The "Damaged Ballot" cards shall be placed in the
19 "Duplicated Ballots" envelope; after all ballot cards have
20 been successfully read, the judges of election shall check to
21 make certain that the last number printed by the printing unit
22 is the same as the number of voters making application for
23 ballot in that precinct. The number shall be listed on the
24 "Statement of Ballots" form provided by the election
25 authority.

26 The totals for all candidates and propositions shall be

1 tabulated. One copy of an "In-Precinct Totals Report" shall be
2 generated by the automatic tabulating equipment for return to
3 the election authority. One copy of an "In-Precinct Totals
4 Report" shall be generated and posted in a conspicuous place
5 inside the polling place, provided that any authorized
6 pollwatcher or other official authorized to be present in the
7 polling place to observe the counting of ballots is present.

8 The judges of election shall provide, if requested, a set
9 for each authorized pollwatcher or other official authorized
10 to be present in the polling place to observe the counting of
11 ballots. In addition, sufficient time shall be provided by the
12 judges of election to the pollwatchers to allow them to copy
13 information from the copy which has been posted.

14 The judges of election shall count all unused ballot cards
15 and enter the number on the "Statement of Ballots". All
16 "Spoiled", "Defective" and "Duplicated" ballot cards shall be
17 counted and the number entered on the "Statement of Ballots".

18 The precinct judges of election shall select a bi-partisan
19 team of 2 judges, who shall immediately return the ballots in a
20 sealed container, along with all other election materials as
21 instructed by the election authority; provided, however, that
22 such container must first be sealed by the election judges
23 with filament tape provided for such purpose which shall be
24 wrapped around the container lengthwise and crosswise, at
25 least twice each way, in such manner that the ballots cannot be
26 removed from such container without breaking the seal and

1 filament tape and disturbing any signatures affixed by the
2 election judges to the container. The election authority shall
3 keep the office of the election authority, or any receiving
4 stations designated by such authority, open for at least 12
5 consecutive hours after the polls close or until the ballots
6 from all precincts with in-precinct counting equipment within
7 the jurisdiction of the election authority have been returned
8 to the election authority. Ballots returned to the office of
9 the election authority which are not signed and sealed as
10 required by law shall not be accepted by the election
11 authority until the judges returning the same make and sign
12 the necessary corrections. Upon acceptance of the ballots by
13 the election authority, the judges returning the same shall
14 take a receipt signed by the election authority and stamped
15 with the time and date of such return. The election judges
16 whose duty it is to return any ballots as herein provided
17 shall, in the event such ballots cannot be found when needed,
18 on proper request, produce the receipt which they are to take
19 as above provided.

20 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
21 95-699, eff. 11-9-07.)

22 (10 ILCS 5/24A-14) (from Ch. 46, par. 24A-14)

23 Sec. 24A-14. Damaged, defective, or unreadable ballots;
24 duplicates. If any ballot is damaged, ~~or~~ defective, ~~or so that~~
25 ~~it~~ cannot otherwise properly be counted by the automatic

1 tabulating equipment, a true duplicate copy shall be made of
2 the ~~damaged~~ ballot in the presence of witnesses and
3 substituted for the damaged ballot. Likewise, a duplicate
4 ballot shall ~~be made of a defective ballot which shall not~~
5 include the invalid votes appearing on the original ballot.
6 All duplicate ballots shall be clearly labeled "duplicate",
7 shall bear a serial number which shall be registered on the
8 damaged, ~~or~~ defective, or otherwise unreadable ballot, and
9 shall be counted in lieu of the damaged, ~~or~~ or
10 otherwise unreadable ballot.

11 (Source: Laws 1965, p. 2220.)

12 (10 ILCS 5/24B-10)

13 Sec. 24B-10. Receiving, counting, tallying and return of
14 ballots; acceptance of ballots by election authority.

15 (a) In an election jurisdiction which has adopted an
16 electronic Precinct Tabulation Optical Scan Technology voting
17 system, the election official in charge of the election shall
18 select one of the 3 following procedures for receiving,
19 counting, tallying, and return of the ballots:

20 (1) Two ballot boxes shall be provided for each
21 polling place. The first ballot box is for the depositing
22 of votes cast on the electronic voting system; and the
23 second ballot box is for all votes cast on other ballots,
24 including any paper ballots required to be voted other
25 than on the Precinct Tabulation Optical Scan Technology

1 electronic voting system. Ballots deposited in the second
2 ballot box shall be counted, tallied, and returned as is
3 elsewhere provided in this Code for the counting and
4 handling of paper ballots. Immediately after the closing
5 of the polls, the judges of election shall make out a slip
6 indicating the number of persons who voted in the precinct
7 at the election. The slip shall be signed by all the judges
8 of election and shall be inserted by them in the first
9 ballot box. The judges of election shall thereupon
10 immediately lock each ballot box; provided, that if the
11 box is not of a type which may be securely locked, the box
12 shall be sealed with filament tape provided for the
13 purpose that shall be wrapped around the box lengthwise
14 and crosswise, at least twice each way, and in a manner
15 that the seal completely covers the slot in the ballot
16 box, and each of the judges shall sign the seal. Two of the
17 judges of election, of different political parties, shall
18 by the most direct route transport both ballot boxes to
19 the counting location designated by the county clerk or
20 board of election commissioners.

21 Before the ballots of a precinct are fed to the
22 electronic Precinct Tabulation Optical Scan Technology
23 tabulating equipment, the first ballot box shall be opened
24 at the central counting station by the 2 precinct
25 transport judges. Upon opening a ballot box, the team
26 shall first count the number of ballots in the box. If 2 or

1 more are folded together to appear to have been cast by the
2 same person, all of the ballots folded together shall be
3 marked and returned with the other ballots in the same
4 condition, as near as may be, in which they were found when
5 first opened, but shall not be counted. If the remaining
6 ballots are found to exceed the number of persons voting
7 in the precinct as shown by the slip signed by the judges
8 of election, the ballots shall be replaced in the box, and
9 the box closed and well shaken and again opened and one of
10 the precinct transport judges shall publicly draw out so
11 many ballots unopened as are equal to the excess.

12 The excess ballots shall be marked "Excess-Not
13 Counted" and signed by the 2 precinct transport judges and
14 shall be placed in the "After 7:00 p.m. Defective Ballots
15 Envelope". The number of excess ballots shall be noted in
16 the remarks section of the Certificate of Results.
17 "Excess" ballots shall not be counted in the total of
18 "defective" ballots.

19 The precinct transport judges shall then examine the
20 remaining ballots for write-in votes and shall count and
21 tabulate the write-in vote.

22 (2) A single ballot box, for the deposit of all votes
23 cast, shall be used. All ballots which are not to be
24 tabulated on the electronic voting system shall be
25 counted, tallied, and returned as elsewhere provided in
26 this Code for the counting and handling of paper ballots.

1 All ballots to be processed and tabulated with the
2 electronic Precinct Tabulation Optical Scan Technology
3 voting system shall be processed as follows:

4 Immediately after the closing of the polls, the
5 precinct judges of election shall open the ballot box and
6 canvass the votes polled to determine that the number of
7 ballots agree with the number of voters voting as shown by
8 the applications for ballot, or if the same do not agree
9 the judges of election shall make such ballots agree with
10 the applications for ballot in the manner provided by
11 Section 17-18 of this Code.

12 In case of an overvote for any office, the judges of
13 election, consisting in each case of at least one judge of
14 election of each of the 2 major political parties, shall
15 make a true duplicate ballot of all votes on the ballot
16 except for the office which is overvoted, by using the
17 ballot of the precinct and one of the marking devices, or
18 equivalent ballot, of the precinct to transfer all votes
19 of the voter except for the office overvoted, to an
20 official ballot of that kind used in the precinct at that
21 election. The original ballot upon which there is an
22 overvote shall be clearly labeled "Overvoted Ballot", and
23 each shall bear the same serial number which shall be
24 placed thereon by the judges of election, beginning with
25 number 1 and continuing consecutively for the ballots of
26 that kind in that precinct. The judges of election shall

1 initial the "Duplicate Overvoted Ballot" ballots and shall
2 place them in the box for return of the ballots. The
3 "Overvoted Ballot" ballots shall be placed in the
4 "Duplicate Ballots" envelope. The ballots except any
5 defective or overvoted ballot shall be placed separately
6 in the box for return of the ballots. The judges of
7 election shall examine the ballots to determine if any is
8 damaged, ~~or defective, or so that it~~ cannot otherwise be
9 counted by the automatic tabulating equipment. If any
10 ballot is damaged, ~~or defective, or so that it~~ cannot
11 otherwise properly be counted by the automatic tabulating
12 equipment, the judges of election, consisting in each case
13 of at least one judge of election of each of the 2 major
14 political parties, shall make a true duplicate ballot of
15 all votes on such ballot by using the ballot of the
16 precinct and one of the marking devices, or equivalent
17 ballot, of the precinct. The original ballot and ballot
18 envelope shall be clearly labeled "Damaged Ballot" and the
19 ballot so produced "Duplicate Damaged Ballot", and each
20 shall bear the same number which shall be placed thereon
21 by the judges of election, commencing with number 1 and
22 continuing consecutively for the ballots of that kind in
23 the precinct. The judges of election shall initial the
24 "Duplicate Damaged Ballot" ballot and shall place them in
25 the box for return of the ballots. The "Damaged Ballot"
26 ballots shall be placed in the "Duplicated Ballots"

1 envelope. A slip indicating the number of voters voting in
2 person and the total number of voters of the precinct who
3 voted at the election shall be made out, signed by all
4 judges of election, and inserted in the box for return of
5 the ballots. The tally sheets recording the write-in votes
6 shall be placed in this box. The judges of election
7 immediately shall securely lock the ballot box or other
8 suitable box furnished for return of the ballots by the
9 election official in charge of the election; provided that
10 if the box is not of a type which may be securely locked,
11 the box shall be sealed with filament tape provided for
12 the purpose which shall be wrapped around the box
13 lengthwise and crosswise, at least twice each way. A
14 separate adhesive seal label signed by each of the judges
15 of election of the precinct shall be affixed to the box to
16 cover any slot therein and to identify the box of the
17 precinct; and if the box is sealed with filament tape as
18 provided rather than locked, such tape shall be wrapped
19 around the box as provided, but in such manner that the
20 separate adhesive seal label affixed to the box and signed
21 by the judges may not be removed without breaking the
22 filament tape and disturbing the signature of the judges.
23 Two of the judges of election, of different major
24 political parties, shall by the most direct route
25 transport the box for return of the ballots and enclosed
26 ballots and returns to the central counting location

1 designated by the election official in charge of the
2 election. If, however, because of the lack of adequate
3 parking facilities at the central counting location or for
4 any other reason, it is impossible or impracticable for
5 the boxes from all the polling places to be delivered
6 directly to the central counting location, the election
7 official in charge of the election may designate some
8 other location to which the boxes shall be delivered by
9 the 2 precinct judges. While at the other location the
10 boxes shall be in the care and custody of one or more
11 teams, each consisting of 4 persons, 2 from each of the 2
12 major political parties, designated for such purpose by
13 the election official in charge of elections from
14 recommendations by the appropriate political party
15 organizations. As soon as possible, the boxes shall be
16 transported from the other location to the central
17 counting location by one or more teams, each consisting of
18 4 persons, 2 from each of the 2 major political parties,
19 designated for the purpose by the election official in
20 charge of elections from recommendations by the
21 appropriate political party organizations.

22 The "Defective Ballots" envelope, and "Duplicated
23 Ballots" envelope each shall be securely sealed and the
24 flap or end of each envelope signed by the precinct judges
25 of election and returned to the central counting location
26 with the box for return of the ballots, enclosed ballots

1 and returns.

2 At the central counting location, a team of tally
3 judges designated by the election official in charge of
4 the election shall check the box returned containing the
5 ballots to determine that all seals are intact, and shall
6 open the box, check the voters' slip and compare the
7 number of ballots so delivered against the total number of
8 voters of the precinct who voted, remove the ballots and
9 deliver them to the technicians operating the automatic
10 tabulating equipment. Any discrepancies between the number
11 of ballots and total number of voters shall be noted on a
12 sheet furnished for that purpose and signed by the tally
13 judges.

14 (3) A single ballot box, for the deposit of all votes
15 cast, shall be used. Immediately after the closing of the
16 polls, the precinct judges of election shall securely lock
17 the ballot box; provided that if such box is not of a type
18 which may be securely locked, the box shall be sealed with
19 filament tape provided for the purpose which shall be
20 wrapped around the box lengthwise and crosswise, at least
21 twice each way. A separate adhesive seal label signed by
22 each of the judges of election of the precinct shall be
23 affixed to the box to cover any slot therein and to
24 identify the box of the precinct; and if the box is sealed
25 with filament tape as provided rather than locked, such
26 tape shall be wrapped around the box as provided, but in a

1 manner that the separate adhesive seal label affixed to
2 the box and signed by the judges may not be removed without
3 breaking the filament tape and disturbing the signature of
4 the judges. Two of the judges of election, of different
5 major political parties, shall by the most direct route
6 transport the box for return of the ballots and enclosed
7 vote by mail and early ballots and returns to the central
8 counting location designated by the election official in
9 charge of the election. If however, because of the lack of
10 adequate parking facilities at the central counting
11 location or for some other reason, it is impossible or
12 impracticable for the boxes from all the polling places to
13 be delivered directly to the central counting location,
14 the election official in charge of the election may
15 designate some other location to which the boxes shall be
16 delivered by the 2 precinct judges. While at the other
17 location the boxes shall be in the care and custody of one
18 or more teams, each consisting of 4 persons, 2 from each of
19 the 2 major political parties, designated for the purpose
20 by the election official in charge of elections from
21 recommendations by the appropriate political party
22 organizations. As soon as possible, the boxes shall be
23 transported from the other location to the central
24 counting location by one or more teams, each consisting of
25 4 persons, 2 from each of the 2 major political parties,
26 designated for the purpose by the election official in

1 charge of the election from recommendations by the
2 appropriate political party organizations.

3 At the central counting location there shall be one or
4 more teams of tally judges who possess the same
5 qualifications as tally judges in election jurisdictions
6 using paper ballots. The number of the teams shall be
7 determined by the election authority. Each team shall
8 consist of 5 tally judges, 3 selected and approved by the
9 county board from a certified list furnished by the chair
10 of the county central committee of the party with the
11 majority of members on the county board and 2 selected and
12 approved by the county board from a certified list
13 furnished by the chair of the county central committee of
14 the party with the second largest number of members on the
15 county board. At the central counting location a team of
16 tally judges shall open the ballot box and canvass the
17 votes polled to determine that the number of ballot sheets
18 therein agree with the number of voters voting as shown by
19 the applications for ballot and, if the same do not agree,
20 the tally judges shall make such ballots agree with the
21 number of applications for ballot in the manner provided
22 by Section 17-18 of this Code. The tally judges shall then
23 examine all ballot sheets that are in the ballot box to
24 determine whether they bear the initials of the precinct
25 judge of election. If any ballot is not initialed, it
26 shall be marked on the back "Defective", initialed as to

1 that label by all tally judges immediately under the word
2 "Defective", and not counted, but placed in the envelope
3 provided for that purpose labeled "Defective Ballots
4 Envelope". An overvote for one office shall invalidate
5 only the vote or count for that particular office.

6 At the central counting location, a team of tally
7 judges designated by the election official in charge of
8 the election shall deliver the ballot sheets to the
9 technicians operating the automatic Precinct Tabulation
10 Optical Scan Technology tabulating equipment. Any
11 discrepancies between the number of ballots and total
12 number of voters shall be noted on a sheet furnished for
13 that purpose and signed by the tally judges.

14 (b) Regardless of which procedure described in subsection
15 (a) of this Section is used, the judges of election designated
16 to transport the ballots properly signed and sealed, shall
17 ensure that the ballots are delivered to the central counting
18 station no later than 12 hours after the polls close. At the
19 central counting station, a team of tally judges designated by
20 the election official in charge of the election shall examine
21 the ballots so transported and shall not accept ballots for
22 tabulating which are not signed and sealed as provided in
23 subsection (a) of this Section until the judges transporting
24 the ballots make and sign the necessary corrections. Upon
25 acceptance of the ballots by a team of tally judges at the
26 central counting station, the election judges transporting the

1 ballots shall take a receipt signed by the election official
2 in charge of the election and stamped with the date and time of
3 acceptance. The election judges whose duty it is to transport
4 any ballots shall, in the event the ballots cannot be found
5 when needed, on proper request, produce the receipt which they
6 are to take as above provided.

7 (Source: P.A. 100-1027, eff. 1-1-19.)

8 (10 ILCS 5/24B-10.1)

9 Sec. 24B-10.1. In-Precinct Counting Equipment; Procedures
10 for Counting and Tallying Ballots. In an election jurisdiction
11 where Precinct Tabulation Optical Scan Technology counting
12 equipment is used, the following procedures for counting and
13 tallying the ballots shall apply:

14 Before the opening of the polls, and before the ballots
15 are entered into the automatic tabulating equipment, the
16 judges of election shall be sure that the totals are all zeros
17 in the counting column. Ballots may then be counted by
18 entering or scanning each ballot into the automatic tabulating
19 equipment. Throughout the election day and before the closing
20 of the polls, no person may check any vote totals for any
21 candidate or proposition on the automatic tabulating
22 equipment. Such automatic tabulating equipment shall be
23 programmed so that no person may reset the equipment for
24 refeeding of ballots unless provided a code from an authorized
25 representative of the election authority. At the option of the

1 election authority, the ballots may be fed into the Precinct
2 Tabulation Optical Scan Technology equipment by the voters
3 under the direct supervision of the judges of elections.

4 Immediately after the closing of the polls, the precinct
5 judges of election shall open the ballot box and count the
6 number of ballots to determine if the number agrees with the
7 number of voters voting as shown on the Precinct Tabulation
8 Optical Scan Technology equipment and by the applications for
9 ballot or, if the same do not agree, the judges of election
10 shall make the ballots agree with the applications for ballot
11 in the manner provided by Section 17-18 of this Code. The
12 judges of election shall then examine all ballots which are in
13 the ballot box to determine whether the ballots contain the
14 initials of a precinct judge of election. If any ballot is not
15 initialed, it shall be marked on the back "Defective",
16 initialed as to such label by all judges immediately under the
17 word "Defective" and not counted. The judges of election shall
18 place an initialed blank official ballot in the place of the
19 defective ballot, so that the count of the ballots to be
20 counted on the automatic tabulating equipment will be the
21 same, and each "Defective Ballot" and "Replacement" ballot
22 shall contain the same serial number which shall be placed
23 thereon by the judges of election, beginning with number 1 and
24 continuing consecutively for the ballots of that kind in that
25 precinct. The original "Defective" ballot shall be placed in
26 the "Defective Ballot Envelope" provided for that purpose.

1 If the judges of election have removed a ballot pursuant
2 to Section 17-18, have labeled "Defective" a ballot which is
3 not initialed, or have otherwise determined under this Code to
4 not count a ballot originally deposited into a ballot box, the
5 judges of election shall be sure that the totals on the
6 automatic tabulating equipment are reset to all zeros in the
7 counting column. Thereafter the judges of election shall enter
8 or otherwise scan each ballot to be counted in the automatic
9 tabulating equipment. Resetting the automatic tabulating
10 equipment to all zeros and re-entering of ballots to be
11 counted may occur at the precinct polling place, the office of
12 the election authority, or any receiving station designated by
13 the election authority. The election authority shall designate
14 the place for resetting and re-entering or re-scanning.

15 When a Precinct Tabulation Optical Scan Technology
16 electronic voting system is used which uses a paper ballot,
17 the judges of election shall examine the ballot for write-in
18 votes. When the voter has cast a write-in vote, the judges of
19 election shall compare the write-in vote with the votes on the
20 ballot to determine whether the write-in results in an
21 overvote for any office, unless the Precinct Tabulation
22 Optical Scan Technology equipment has already done so. In case
23 of an overvote for any office, the judges of election,
24 consisting in each case of at least one judge of election of
25 each of the 2 major political parties, shall make a true
26 duplicate ballot of all votes on such ballot except for the

1 office which is overvoted, by using the ballot of the precinct
2 and one of the marking devices, or equivalent ballot, of the
3 precinct so as to transfer all votes of the voter, except for
4 the office overvoted, to a duplicate ballot. The original
5 ballot upon which there is an overvote shall be clearly
6 labeled "Overvoted Ballot", and each such "Overvoted Ballot"
7 as well as its "Replacement" shall contain the same serial
8 number which shall be placed thereon by the judges of
9 election, beginning with number 1 and continuing consecutively
10 for the ballots of that kind in that precinct. The "Overvoted
11 Ballot" shall be placed in an envelope provided for that
12 purpose labeled "Duplicate Ballot" envelope, and the judges of
13 election shall initial the "Replacement" ballots and shall
14 place them with the other ballots to be counted on the
15 automatic tabulating equipment.

16 If any ballot is damaged, ~~or~~ defective, or if any ballot
17 otherwise contains a Voting Defect, so that it cannot properly
18 be counted by the automatic tabulating equipment, the voter or
19 the judges of election, consisting in each case of at least one
20 judge of election of each of the 2 major political parties,
21 shall make a true duplicate ballot of all votes on such ballot
22 by using the ballot of the precinct and one of the marking
23 devices of the precinct, or equivalent. If a damaged ballot,
24 the original ballot shall be clearly labeled "Damaged Ballot"
25 and the ballot so produced shall be clearly labeled "Damaged
26 Ballot" and the ballot so produced shall be clearly labeled

1 "Duplicate Damaged Ballot", and each shall contain the same
2 serial number which shall be placed by the judges of election,
3 beginning with number 1 and continuing consecutively for the
4 ballots of that kind in the precinct. The judges of election
5 shall initial the "Duplicate Damaged Ballot" ballot and shall
6 enter or otherwise scan the duplicate damaged ballot into the
7 automatic tabulating equipment. The "Damaged Ballots" shall be
8 placed in the "Duplicated Ballots" envelope; after all ballots
9 have been successfully read, the judges of election shall
10 check to make certain that the Precinct Tabulation Optical
11 Scan Technology equipment readout agrees with the number of
12 voters making application for ballot in that precinct. The
13 number shall be listed on the "Statement of Ballots" form
14 provided by the election authority.

15 The totals for all candidates and propositions shall be
16 tabulated. One copy of an "In-Precinct Totals Report" shall be
17 generated by the automatic tabulating equipment for return to
18 the election authority. One copy of an "In-Precinct Totals
19 Report" shall be generated and posted in a conspicuous place
20 inside the polling place, provided that any authorized
21 pollwatcher or other official authorized to be present in the
22 polling place to observe the counting of ballots is present.
23 The judges of election shall provide, if requested, a copy for
24 each authorized pollwatcher or other official authorized to be
25 present in the polling place to observe the counting of
26 ballots. In addition, sufficient time shall be provided by the

1 judges of election to the pollwatchers to allow them to copy
2 information from the copy which has been posted.

3 The judges of election shall count all unused ballots and
4 enter the number on the "Statement of Ballots". All "Spoiled",
5 "Defective" and "Duplicated" ballots shall be counted and the
6 number entered on the "Statement of Ballots".

7 The precinct judges of election shall select a bi-partisan
8 team of 2 judges, who shall immediately return the ballots in a
9 sealed container, along with all other election materials as
10 instructed by the election authority; provided, however, that
11 such container must first be sealed by the election judges
12 with filament tape or other approved sealing devices provided
13 for the purpose which shall be wrapped around the container
14 lengthwise and crosswise, at least twice each way, in a manner
15 that the ballots cannot be removed from the container without
16 breaking the seal and filament tape and disturbing any
17 signatures affixed by the election judges to the container, or
18 which other approved sealing devices are affixed in a manner
19 approved by the election authority. The election authority
20 shall keep the office of the election authority or any
21 receiving stations designated by the authority, open for at
22 least 12 consecutive hours after the polls close or until the
23 ballots from all precincts with in-precinct counting equipment
24 within the jurisdiction of the election authority have been
25 returned to the election authority. Ballots returned to the
26 office of the election authority which are not signed and

1 sealed as required by law shall not be accepted by the election
2 authority until the judges returning the ballots make and sign
3 the necessary corrections. Upon acceptance of the ballots by
4 the election authority, the judges returning the ballots shall
5 take a receipt signed by the election authority and stamped
6 with the time and date of the return. The election judges whose
7 duty it is to return any ballots as provided shall, in the
8 event the ballots cannot be found when needed, on proper
9 request, produce the receipt which they are to take as above
10 provided. The precinct judges of election shall also deliver
11 the Precinct Tabulation Optical Scan Technology equipment to
12 the election authority.

13 (Source: P.A. 94-645, eff. 8-22-05; 94-1000, eff. 7-3-06;
14 95-699, eff. 11-9-07.)

15 (10 ILCS 5/24B-14)

16 Sec. 24B-14. Damaged, defective, or unreadable ballots;
17 duplicates ~~Ballots; Duplicates.~~

18 If any ballot is damaged, or defective, or so that it cannot
19 otherwise properly be counted by the automatic Precinct
20 Tabulation Optical Scan Technology tabulating equipment, a
21 true duplicate copy shall be made of the ~~damaged~~ ballot in the
22 presence of witnesses and substituted for the original ~~damaged~~
23 ballot. Likewise, a duplicate ballot shall ~~be made of a~~
24 ~~defective ballot which shall~~ not include the invalid votes
25 appearing on the original ballot. All duplicate ballots shall

1 be clearly labeled "Duplicate", shall bear a serial number
2 which shall be registered on the damaged, ~~or~~ defective, or
3 otherwise unreadable ballot, and shall be counted in lieu of
4 the damaged, ~~or~~ defective, or otherwise unreadable ballot.

5 (Source: P.A. 89-394, eff. 1-1-97.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.